

**321—24.27(231D) Criteria for granting admission and retention waivers.** DIA shall use the following criteria in granting a waiver:

1. It is the informed choice of the participant or legal representative, if applicable, to remain in the program; and
2. The program is able to obtain the staff necessary to meet the participant's service needs in addition to the service needs of the other participants; and
3. The waiver shall not jeopardize the health, safety, security or welfare of the party for whom the waiver is being requested or other program participants or program staff.